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CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2117**

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**Introduced by Assembly Members Coto, Goldberg, Umberg,  
Wyland, Arambula, Hancock, Huff, Liu, Mullin, Pavley, and  
Richman**

*(Coauthor: Senator Alquist)*

February 17, 2006

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An act to add Chapter 5 (commencing with Section 420) to Part 1 of the Education Code, relating to English language learners.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2117, as amended, Coto. English language learners: pilot project.

Existing law establishes the English Language Acquisition Program for pupils in grades 4 to 8, inclusive, and requires the Superintendent of Public Instruction to allocate \$100 per school year to each participating local educational agency for each pupil enrolled in any of those grades who is identified as eligible to participate in the program.

This bill would require the State Department of Education to establish and administer a competitive grant pilot project to identify existing best practices regarding curriculum, instruction, and staff

development for teaching English language learners and promoting English language acquisition and development. *The bill would prohibit the use of more than 5% of the total funding for the program to be used for administrative, data collection, evaluation, or reporting activities.* The bill would authorize a school district that contains at least one elementary school with an enrollment of at least 100 English language learners, middle or junior high school with an enrollment of at least 200 English language learners, or high school with an enrollment of at least 300 English language learners to apply on behalf of the eligible school or schools to the department for a grant of \$200 per English language learner for each year of the pilot project. The bill would require the department to require each school district that is selected to receive a grant to match the funds provided in the grant up to a specified amount. The bill would require a consortium convened by the Linguistic Minority Research Institute at the University of California, that includes the department, the California Subject Matter Project of the University of California the California State University, and the county offices of education of the Counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Joaquin, and Santa Clara, as part of that pilot project, to develop a plan for a training program for English language teachers, and school and school district administrators, as specified.

The bill would provide that those provisions will become operative only if an appropriation is made for those purposes in the annual Budget Act or other statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5 (commencing with Section 420) is  
2 added to Part 1 of the Education Code, to read:  
3  
4 CHAPTER 5. ENGLISH LANGUAGE LEARNER ACQUISITION AND  
5 DEVELOPMENT PILOT PROGRAM  
6  
7 420. (a) The department shall establish and administer a  
8 three-year competitive grant pilot project of 25,000 English  
9 language learners, to commence on January 1, 2007, with the  
10 issuance of Requests for Proposals (RFP), and September 1,

2007, for three-year program implementation. The goal of the pilot project is to identify existing best practices regarding curriculum, instruction, and staff development for teaching English language learners and promoting English language and academic English acquisition and development.

(b) Funding for the program shall be used to support or expand successful existing programs that serve the academic needs of English language learners to learn academic content and acquire proficiency in the English language.

*No more than 5 percent of the total funding for the program may be used for administrative, data collection, evaluation, or reporting activities.*

(c) A school district that contains at least one elementary school with an enrollment of at least 100 English language learners, middle or junior high school with an enrollment of at least 200 English language learners, or high school with an enrollment of at least 300 English language learners may apply on behalf of the eligible school or schools to the department for a grant of two hundred dollars (\$200) per English language learner per year for the period commencing on September 1, 2007, and ending on August 31, 2010.

(d) Funding grant applications shall consider the past success of the school and school district in meeting the needs of English language learners, shall limit the number of students in any one school district to no more than 10 percent of the total students funded, shall ensure that funded schools represent an appropriate balance among urban, suburban and rural schools, shall ensure that funded schools represent a geographic balance throughout California, and shall conform reasonably to a set of instructional principles laid out in the RFP.

(e) A school district that is selected to receive a grant shall agree to the evaluation process and reporting laid out by a partner independent research organization and shall include in the grant application grant resources to be used in data collection, as described by the independent research organization evaluation process design.

(f) The department shall require each school district that is selected to provide two hundred dollars (\$200) per year in matching funds to the two hundred dollars (\$200) set aside over four years and administered by the department.

(g) The Superintendent shall establish a 13-member advisory committee to provide regular recommendations in the implementation of this project. The department will provide staff to this committee. The committee shall be made up of practitioners from the field, staff from the University of California and the California State University, representatives of the California education coalition, and evaluation foundation partners. With advice from the advisory committee, the department shall establish criteria for evaluating applications and selecting applicant school districts to receive grants, including, but not limited to, all of the following:

(1) A diverse mix of schools, including those offering structured English immersion, bilingual instruction, dual language immersion, and mainstream instruction.

(2) Enrollment of pupils of low socioeconomic status and of varying levels of academic proficiency and performance as measured by the Academic Performance Index pursuant to Article 2 (commencing with Section 52051) of Chapter 6.1 of Part 28.

(h) The department shall contract with an independent research organization to perform an evaluation of the pilot project based on a representative sample of 25,000 or more English language learners from participating urban, suburban, and rural schools from various geographic regions throughout the state. The evaluation design shall be created using funds other than those appropriated for purposes of this chapter. It is the intent of the Legislature that the completed evaluation highlight successful programs of English language instruction that can be used as models for other schools. A report summarizing the findings of the evaluation shall be submitted to the Superintendent, the Governor, and the Legislature by November 1, 2011. The Superintendent shall review the report and submit an additional report to the Legislature that makes recommendations based on the results of the evaluation design created by the independent research organization.

(i) It is the intent of the Legislature to enact legislation that provides flexibility to schools and school districts that receive grants and participate in the pilot project pursuant to this section with regard to restrictions imposed by state law and school

1 district policies and regulations that may hinder the participation  
2 by those schools and school districts.

3 421. (a) A consortium, convened by the Linguistic Minority  
4 Research Institute at the University of California, that includes  
5 the department, the California Subject Matter Project of the  
6 University of California, the Language Minority Research  
7 Institute, the California State University, and the county offices  
8 of education of the Counties of Los Angeles, Orange, Riverside,  
9 San Bernardino, San Diego, San Joaquin, and Santa Clara, shall  
10 develop a plan for a training program for English language  
11 teachers, and school and school district administrators, to support  
12 the academic achievement of English language learners. The plan  
13 shall include, but is not limited to, all of the following:

14 (1) A strategy to identify existing resources and local  
15 infrastructure that provides professional development to teachers  
16 of English language learners. It is the intent of the Legislature to  
17 build upon existing capacity in school districts and county offices  
18 of education in developing a professional development program  
19 for teachers of English language learners.

20 (2) A strategy to provide “expert” or “master” teachers to  
21 serve as peer coaches to classroom teachers and administrators  
22 for the purpose of improving the quality of instruction of English  
23 language learners. This strategy shall address the development of  
24 all of the following:

25 (A) Core program elements and peer coaching models to  
26 ensure that teachers receive professional development to instruct  
27 English language learners in the state academic content standards  
28 pursuant to Section 60605 and the English language development  
29 standards pursuant to Section 60811. The consortium shall  
30 convene a team of identified expert or master English language  
31 teachers and coaches to establish multilevel delivery of  
32 instruction models and multilevel coaching models to be used  
33 throughout the state.

34 (B) A database of teachers in the state with requisite  
35 knowledge and skills to be “expert” or “master” teachers to teach  
36 language acquisition in accordance with the English language  
37 development standards pursuant to Section 60811, including, but  
38 not limited to, academic English, and to teach the academic  
39 content standards pursuant to Section 60605.

1 (C) Criteria to determine the skills necessary to be an “expert”  
2 or “master” teacher of English language learners. This criteria  
3 shall include, but is not limited to, a process for selecting a  
4 teacher for the purpose of teaching English language learners.

5 (b) Commencing on September 1, 2007, the consortium shall  
6 do all of the following:

7 (1) Release a list of qualified “expert” or “master” teachers to  
8 serve as peer coaches to classroom teachers and administrators  
9 for the purpose of providing professional development to  
10 classroom teachers and administrators.

11 (2) Assemble a team of identified experts and master teachers  
12 to come to consensus about a set of critical competencies needed  
13 for effectively facilitating English language acquisition and  
14 content mastery in all classrooms, and craft that set of critical  
15 competencies into strong, interactive, standards-based  
16 professional development modules.

17 (3) Train school district teachers and administrators using  
18 qualified “expert” or “master” teachers to conduct training for  
19 their classroom teachers and administrators on improving  
20 instruction for English language learners and successful coaching  
21 techniques, and, upon completion of their training, teachers and  
22 administrators shall be English language learner peer coaches for  
23 their schools and school districts. These coaches shall assist  
24 groups of classroom teachers through onsite technical assistance,  
25 assessment assistance, and technique evaluation on addressing  
26 the instructional needs of English language learners. Teachers  
27 and administrators working in schools ranked in deciles 1 to 3,  
28 inclusive, of the Academic Performance Index shall be given first  
29 priority to receive training under this program. It is the intent of  
30 the Legislature that no less than 10,000 California teachers and  
31 administrators receive teaching and coaching training annually.

32 (4) The department shall contract with an independent  
33 research organization to design an annual incremental evaluation  
34 of the professional development project based statute and the  
35 delivery system established by the consortium. The evaluation  
36 design shall be created using funds other than those appropriated  
37 for purposes of this chapter. The consortium shall collect and  
38 organize project data, including, but not limited to, the number of  
39 teachers and administrators trained under the program, and the  
40 impact this training has upon classroom instruction. A report

1 summarizing the findings of the evaluation shall be submitted to  
2 the Superintendent, the Governor, and the Legislature on or  
3 before November 1, 2010.

4 (c) The Superintendent shall review the report and submit an  
5 additional report to the Legislature that makes recommendations  
6 based on the results of the evaluation design created by the  
7 independent research organization.

8 (d) Subdivisions (a) and (b) shall apply to the University of  
9 California only if its participation is approved by resolution of  
10 the Regents of the University of California.

11 422. This chapter shall become operative only if an  
12 appropriation is made for its purposes in the annual Budget Act  
13 or other statute.